GENERAL AND REVENUE SECRETARIAT.

19— 1899-
(Muzrai)

File No. 4

Serial Nos. 1–9

Papers Filed.

Month ~~July~~ 1907

SUBJECT.

File relating to the order ~~issuing~~ laying down instructions in the matter of the disposal of ~~of~~ relating to poojaris rights

PREVIOUS REFERENCES.	LATER REFERENCES.
Muzrai 26 of 1899 64 of 1895 39 of 1896	Muzrai 254 of 1911

Note

Petitions nº 1733 dated 18th March 1901 ~~from~~ ~~Seshagiriachar~~ and nº 1209 of 22nd April 1901 from Seshagiriachar of Hansoge

On 3rd November last the petitioner filed an appeal ~~petition, appealing~~ in this Office against the order passed by the Munsif Assistant Commissioner of Mysore District rejecting his right to the Archakship of the Sri Anjaneyaswami temple at Hansoge In reply, the petitioner was directed to produce the Deputy Commissioner's order in the case

On this, the petitioner filed an ~~appeal~~ ~~petition~~ against the Asstt Commrs order, in the Court of the Deputy

Commissioner, and thus
Officer returned the petition
for being properly stamped."

The petitioner has now
appealed to Government
against the foregoing
order of the Deputy Com-
-missioner.

The Pet^r states that
the original plaint was
on a Rs 10 - Stamp paper,
but that on appeal
in the Court of the
Munzra Assistant Commissioner
the petitioner was made
to pay an extra Stamp duty
of Rs 140 with Costs
amounting to Rs 112-8-a;
and he prays that the
Govt may be pleased

to take into consider-
-ation the heavy ex-
-penditure he has already
been put to in this matter
and admit the present
appeal petition, directing
at the same time the
stay of execution proceedings
with reference to the decree
of the Lower Court, pending
final decision of the
appeal.

=

On reference to the
judgments and decrees
of the Lower Courts,
copies of which have been
produced by the ~~Defendant~~
Petitioner, it is observed
that the original plaint
was of course on a Rs 10
stamp paper; the petitioner
who was the defendant

in the original suit contended that the stamp duty paid by the plaintiffs was insufficient. A regular issue on the subject was framed during the enquiry and the Amildar decided that the stamp duty paid was sufficient. Again, in the Court of the Mamlatdar on appeal, the petitioner urged the insufficiency of the stamp duty as one of the grounds of appeal; ~~and this point~~ and with reference to this point, the following remarks have been made in the judgment. —

> 'The suit was not properly valued, but the mistake has since been rectified'

and in the decree, the

Petn

petitioner was directed to pay ~~the~~ the additional stamp duty of Rs 140- and Lawyer's fees to the amount of Rs 112-8-0

According to the orders laid down in Govt Ro.. No C 25-34 dated 14th March 1895, Suits for Pujari Rights are to be instituted in the Court of the Amildar and appeals from Amildar's decisions lie to the District Muzrai Officer and the Deputy Commissioner" against whose decisions, final appeals lie to the Govt in the Muzrai Department; and in the case under adverteence

an appeal against the Amildar's Decision has been heard and decided by the Murzai Assistant Commissioner; if therefore the matter goes before the Deputy Commissioner, and an appeal against his decision be then entertained by Govt., there will be altogether 3 appeals.

The correctness of such procedure has been called into question by the late Dewan with reference to another Murzai appeal Case now pending before Govt. The late Dewan's note on the subject runs thus:—

"Here

"There is one defect in this case which requires consideration.

2. Under G.O, 14th March 1895, No. C 25-34, suits relating to Pujari rights have to be instituted in the Courts of Amildars, but appeals from such decisions lie to the District Murzai Officer and the Deputy Commissioner and a second appeal to Govt.

3. The District Murzai Officer I understand is the Deputy Commissioner though one of his Assistants may assist him in carrying on the duties connected with the Murzai departments — but the power of hearing an appeal from the ~~Dy~~ Amildar's decision — which is a quasi judicial function cannot, I think, be delegated to an Assistant Commissioner.

The order of 14th March
'895 contemplates only
two appeals against
the decision of an Amildar —
one, i.e, the 1st appeal,
to the Dy Commr as the
district Muzrai Officer,
and the 2nd appeal — the
decision in which is
final — to Government.

5. In this case, in the
view I have taken of
the order of 14th March
1895, the Assis Commr
Commissioner (Mr Shama Rao)
was not competent
to hear the final appeal,
and the Dy Commr could
not be permitted to
assume the functions
of Govt in entertaining
and disposing of the
2nd appeal. If the
Dy Commr had power
to dispose of the 2nd
appeal

appeal, his decision must be regarded as final as the order of 14th March 1895 does not contemplate a further appeal.

6. I am afraid the proceedings of the Asstt. Commr. must be quashed for want of jurisdiction and the 1st appeal remitted to Deputy Commr. as District Murzai Officer to dispose of according to Law.

7. After the Dy Commr. decides the case in 1st appeal parties dissatisfied with his decision may appeal to Govt.

8. Before passing orders as above I would ask the Murzai Secretary

to report on the following points:—

I Whether the Dy Commr is not — the District Murzai Officer — notwithstanding he has an Assistant Commr to help him in the disposal of Murzai work.

II Whether there were any Cases before this in which the 1st appeal was disposed of by the Murzai Asstt Commr and 2nd appeal by the Dy Commr and a 3rd appeal by Govt. If so, put up papers and the authority in support of such a procedure.

III. Is the murzai work of the District

performed exclusively by the Murpai Asst Commr. without reference to Dy Commr

With reference to the points raised in the above note, the Dy Commrs of Districts were asked to report the practice obtaining in their respective Dists the replies have been received from all of them except from the Dy Commr of Hassan, and they are as follow:-

1 Kadur Dt:

No such suits have yet arisen in the Distt In the case of miscellaneous Murpai orders made by Amildars, appeals are

preferred either to the Asst Commr concerned or to the Dy Commr In the latter case, they are generally referred to the Asst Commr concerned and appeals from his decision are made to the Dy Commr —

II Tumkur Dist

Appeals from Amildar's or Assistant Commissioner's decisions in suits relating to Pujari rights are invariably entertained and disposed of by the Dy Commr —

III. Bangalore Dist

Appeals against the Amildars' decisions are not entertained by the Asst Commrs but are heard by the Dy Commr himself or referred by him to Asst Commrs

IV. Kolar Distt.

Subsequent to the issue of Govt. Pro No. C 25-34 dt 14th March 195, appeals against the decisions of Amildars in Muzrai Suits are being heard and disposed of by the Dy Commr. himself.

V. Shimoga Distt.

The Amildars do not in general dispose of cases in connection with the Pujari rights of the muzrai institution, but they hold a formal enquiry and submit the records to the Asstt: Commr in charge of the Talukas or the Sub Dn. Officer as the case may be for orders. Against their orders, appeals lie to the Dy Commr as head of the District, muzrai departmen

VI Chitaldrug Dt

Hitherto there have been no appeals of this nature entertained by Asst Commrs in this District

VII. Mysore Dt.

All suits are in the 1st instance enquired into and disposed of by the Amildars; appeals against their decision are entertained by the Sub Dy Officer or the Asst Commrs in charge of the Survey work of the Dist; the decisions of these Officers are appealed against to the Dy Commr.

Para 10 of the late Chief Commrs order No 3745-56 dt 17th October 1879, Mis: 15

Govt Corps

lays down that the administration of the Murzai department should be undertaken by the Dy Commrs themselves where they are native officers, and by one of the native General Asstts in districts under European officers.

in that deciding
whether the appeal
should be to the
Dft Court abroad
we may, wherever
inconvenience
to the parties, call
up this appeal
as transferred abroad
or if called up the
Dft Court as we
have transferred to that
authority.

To prevent
future trouble
we may repeat
the provisions
of the Old Order
by another &
directing the Muddy
division of such
Cases in the first
instance & Dft
Courts & not their
efforts to entertain
& decide the appeal
except when the Dft
Court is a European
officer in which Case
he may refer the Case
to this effect Court - this
appeal in Such Case
being transferred to
11 57 01

Extracts

Letter no 463/192
Dated 6th October 1879. from the Nagar Dy Commr

8. The present scale of the Shimoga District provides for 1 Murzai Gumasta on Rs 30- I have already in para 6 above, explained that two "Sayar and Punjabab accountants will not be more than enough to attend to the work in the Sayar and Abkari Departments. The work of the Murzai Department in this District is not small as will be apparent from the marginal statement, but I propose that the Salary of the Gumasta be reduced to Rs 15. The Chief Commissioner has, I believe, approved of the pay of the Office being met from Provincial funds, and not as heretofore, from Surplus funds in the Department

District.	Amount of endowment for 1878-79.
Shimoga	Rs 19,800-
Kadur.	4,228.
Chitaldrug	6,837.
Bangalore	13,456
Tumkur	6,735.
Kolar.	13,973.

9. I have on a former occasion urged that the business of the Murzai Department should no longer be delegated to an Assistant Commissioner, but be placed under the direct control of the Deputy Commissioner. The Murzai Officer is ordinarily the Treasury Assistant Commissioner, and as his latter duties do not admit of his moving about, he is unable to exercise such supervision as the District Officer can bestow This transfer should certainly, I submit, be made in all Districts where the Deputy Commissioner, being a native, is not precluded from administering the affairs of this branch of his Office. I have reason to believe that the present arrangement has not worked satisfactorily, and now that there is no political necessity for continuing it; I would ask that the transfer may be carried out

Comm^rs

No 3745-55
Mis 315
4 October 1879

10. With these few alterations, the proposals made by the Commissioner are approved. The Chief Commissioner concurs in the opinion of the Commissioner that the Murjai work in all the Districts of the Province will be better withdrawn from the Treasury Assistants who cannot go about to visit the Murjai institutions. The administration of the Murjai Department should be undertaken by the Dy Commissioners themselves where they are native Officers, and by one of the native General Assistants in Districts under European Officers.

Initd/. C.R.

Rev: Secy

1895.

GOVERNMENT OF MYSORE.

MUZRAI

PROCEEDINGS.

Dated Camp Mysore, 14th March 1895.

No. C. 25—34.

Re-publishing for general information and guidance the late Commissioner's Circular Order prohibiting the institution of suits for Pujari rights in the Civil Courts of the Province.

Government Branch Press, Mysore,—14-3-95.—120

No. C. 25— 34, DATED CAMP MYSORE, 14TH MARCH 1895.

ORDER.—The Government resolve to re-publish for general information and guidance the following Circular Order No. 30, dated the 26th October 1854, issued by the late Commissioner Lieutenant-General Sir Mark Cubbon regarding suits for Pujari rights.

2. Appeals from the Amildar's decisions in such cases now lie to the District Muzrai Officer and the Deputy Commissioner, against whose decisions final appeals lie to the Government in the Muzrai Department.

A. SREENIVASSACHARLU,
Secretary.

To—The Deputy Commissioners of Districts.
" Palace Controller, Mysore.
" Registrar, Chief Court.

No. 30. MYSORE COMMISSIONER'S OFFICE.

CIRCULAR.

To

The Superintendents of Divisions.

SIR,

I have the honor by desire of the Commissioner to request that you will have the goodness to cause the necessary instructions to be issued to the Amildars, prohibiting the institution of suits for Pujari rights in the Courts of your Division, but that the Amildars may enquire into such disputes * * and decide them, and that these decisions may be appealed against to the Commissioner's Huzur where the Muzrai affairs are managed.

I have the honor, &c.,

F. CUNNINGHAM,
Secretary.

{BANGALORE,
26th October 1854.}

Exd.—C. P S.

Urgent

MUZRAI

Sl 1

1894 - 1900

From

To The Dy Comrs of Districts

Dated 12 Feb

Despatched

Received

General No. 866-73

Muzrai F. No.

Enclosure No. 1

Adverting to Govt P.
No C.25-34, Dy 14th March '95,
regarding the institution and
disposal of suits for Pujari
rights, the Govt observe that
a diversity of practice
appears to prevail in the
several Dts, in some Dts,
the appeals from the decisions
of Talluk Amildars are
entertained by the S.D officer
or the Asstt Comr in charge of
the Muzrai work of the Dt
or the taluk, and the decisions
of these officers are appealed
against to the Dy Comr
while in other Dts, the appeals

* Printed copy annexed
for ready reference —

From D.C. Chitaldrug no 586 d/22/2/00
27
D.C. Mysore - 112 d/5/3/00
D.C. Kadur 1084 d/19/2/00
D.C. Tumkur 722 d/15/3/00
D.C. Bangalore 977 d/10/4/00

against the Amildar's decisions do not go before the S. D. Officer or the Asstt Comr., but are heard and decided by the Dy Comr. himself.

2. The undersigned has the honor to enquire what the practice in this Dt is in regard to the disposal of appeals from Amildar's decisions, (1) whether they are heard in the first instance by the Dy Comr. himself or by the S. D Officer or the Asstt Comr. in charge of Mulsai work; and (2) whether, in Cases where the appeals ~~in cases~~ the appeals have been heard and decided by the S.D. Officer or the Asstt Comr., a second appeal against such decision is entertained and disposed of by the Dy Comr.

3. The favor of a very early reply is requested.

By order,

Mulsi Secy

Fair Stl

Sl 2

1899-1900

From The Dy. Commissioner
Kadur District

To The Secretary to the Govt of
Mysore, Muzrai Department

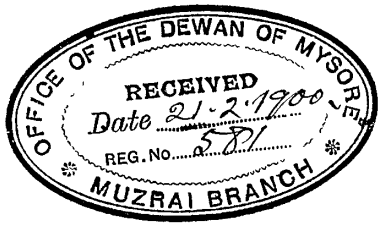
Dated 19th February 1900

Despatched

Received

General No. 1084
No.

Enclosure No. Nil



21/2/00

Reporting the practice prevailing as regards entertainments of appeals in Muzrai suits disposed of by Amildars.

Kadur District
Dy. Commissioner's office
Camp Kadur 19th February
1900

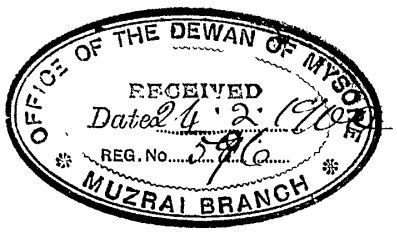
From. The Deputy Commissioner
Kadur District
To The Secretary to the Government
of Mysore
Muzrai Department.

Sir,

With reference to your docket Number 866-73 of the 12th February 1900 enquiring whether appeals from the decisions of Amildars in regular Muzrai suits are made to Assistant Commissioners in charge of the taluk concerned or to the Deputy Commissioner direct, I beg to state that I am given to understand that no such suits have yet arisen in this District. In the case of miscellaneous muzrai orders made by Amildars, appeals are preferred either to the Assistant Commissioner concerned or to the Deputy Commissioner. In the latter case they are generally referred to the Assistant Commissioner concerned and the appeals from his decision are made to the Deputy Commissioner.

I have the honor to be
Sir
your most obedient servant
[illegible]
Dy. Commissioner of Kadur

1899-900 Sl 3



From
The Deputy Commissioner
Chitaldrug District

To
The Secretary to the
Govt of Mysore Imperial
Dated 22nd Department
Despatched Bangalore
Received February 1900.
General No. 586-
No. 27-

Enclosure No. --

With reference
to his docket-no 866-73
dated 12th instant
requesting to report
the practice prevailing
in this District in
regard to the disposal
of appeals from
Amildar's decision
in cases of Suits for
Pergani rights, - has
the honor to state
that - hitherto there
have been no appeal
of this nature
entertained by
the present

Assistant Commissioners in this District

Missionaries

Deputy Commissioners

a 2d appeal against such decision is entertained and disposed of by the undersigned

Manual Unit
for the Commissioner
Mysore District

OFFICE OF THE DEWAN OF MYSORE
RECEIVED
Date 8-3-00
REG. No 632
MUZRAI BRANCH

From The Dy Commissioner SLG

To The Mysore District

The Secretary to the Govt of Mysore

Dated 5th March 1900.

Despatched Muzrai Dept.

Received March 1900.

General No. 112

No.

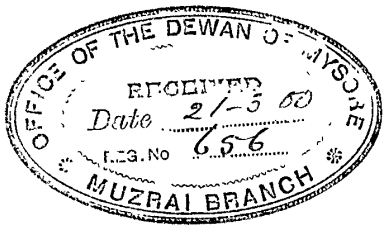
Enclosure No.

With reference to this office docket No 866-73 dated 12th Instant Enquiring about the practice prevailing in this District as regards the institution and decision of Suits for Inam rights, have the honor to state that under

Proceedings No C. 25-'34 dated 14th March, 1895 all such suits are in the first instance enquired into and disposed of by the Amildars and that appeals from their decisions are entertained by the Sub Division Officer or the Assistant Commissioner in charge of the Muzrai work of the District, and that the decisions of these Officers are appealed against to the undersigned.

In other words, appeals from the Amildars' decisions are not heard in the first instance by the undersigned. They are heard by the Sub Division Officer or the Assistant Commissioner in charg of Muzrai-work.

In cases where the appeals have been heard and decided by the Sub Division Officer or the Assistant Commissioner



Sl :—

1899 - 1900.

From The Deputy Commissioner
Tumkur Dist.

To The Secy. to the Govt of
Mysore, Muzarai Dept

Dated 15th
Despatched 17th } March 1900.
Received

General No. 722.
No.

Enclosure No.

His docket no. 866-73
of the 12th Ultimo.

— a —

Stating that in this Dist,
appeals from Amildar's or
Asst Commissioner's decision
in suits relating to pujari
rights are invariably
entertained on the disposal
of by the Deputy Commr.

c/o 722

Tumkur District
Deputy Commissioner's office,
Dated, Tumkur, 15th March 1900.

To

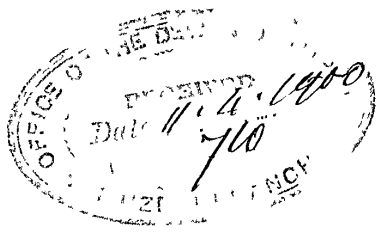
The Secretary to the Government
of Mysore, Nuzarat Department.

Sir,

In reply to your docket no:
811-73 of the 12th instant, I have the honor
to state that in this District, appeals
from Amildars' or Assistant Commissioners'
decisions in suits relating to Inam
rights are invariably entertained and
disposed of by the Deputy Commissioner

I have the honor to be,
Sir,
Your most obedient Servant

M. Narain Rao
Deputy Commissioner
Tumkur District



1899–1900.

From
The Dy. Commissioner, of the
Bangalore District.

To The Secretary to the Govt
of Mysore
Muzrai Department.

Dated 10th

Despatched 11th April 1900

Received

General No.
D No. 977

Enclosure No.

Muz. Secy's docket No.
866–73 dated 12th February 1900

Reports the practice in
vogue in this District re-
-garding the disposal of ap-
-peals against the Amildars
orders in case of Pujari rights

D. No. 977.

Bangalore District
Dy. Commissioner's Office
Bangalore 10th April 1900

No. 1,

The Secretary
to the Government of Mysore
Revenue Department.

Sir,

With reference to your docket No. 866-73 dated 12th February 1900 enquiring about the practice in vogue in the District regarding the disposal of appeals against the amildars orders in case of Pujari rights, I have the honour to state that appeals against Amildars' decisions in such cases are not entertained by the Asst. Commissioners in charge of Talukas, but are heard by the Deputy Commissioner himself. I have referred to him to Asst Commrs.

I have the honor to be
Sir
Your most obedient servant

Dy. Commissioner,
Bangalore District.

Q.1.9 Cor

189-1/1900

From

The Mubai Secretary to the

Govt. of ~~Dewan of~~ Mysore.

To

The Deputy Commr
of Kolar, Tumkur & Shimoga

Dated 6 & 8 April

Despatched

Rec'd

General No. 1177 SV

M.

Legislature No.

Ref. G. No. Misc-73 dated

12th Feb. 1900 requiring
that ~~absconding~~ practices
Brahmans ~~prevailing~~ in their
Districts to the suppression
of the ~~Devadasi~~ system
~~and~~ Devadasi might be
~~considered~~
~~and fully noted.~~

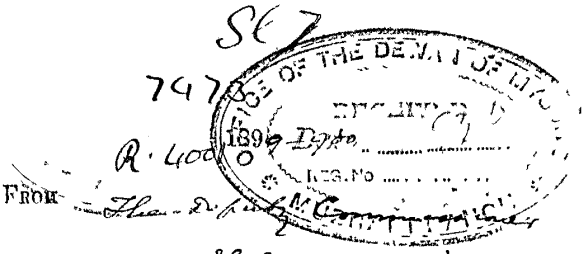
Has the honor to draw attention to
the above and to request ~~an early~~ physical
~~receipt~~

By Order,

&c.

for Secretary

SC
7478
R. 400



FROM The Dewan

Kolar district

Inspection
Please note & return
with letter of Inspection No
of 20th Dec 1899 & file
& Maddur
&
15/5/00

This is a Mysore Reference
M.
16/5/00
Cat
Forwarded
Mysore
&

Tobe Transport
Mysore Dept
M 16/5/00

18.5.00

To The Secretary to the Govt of Mysore R & General Departments

Dated 9th May 1900.

Despatched 11th

Received

General No. 3626

No. 767

Enclosure No.

Report on the practice prevailing in this district in regard to the disposal of appeals against the Amildars decisions in Pujari suits of rights.

R
12.5.00

Deputy Commissioners office Kolar
District - Dated 9th May 19

From

The Deputy Commissioner
Kolar District

To

The Secretary to the
Government of Mysore -
Revenue and Genl Depts

Sir,

With reference to your Docket
No 866 - 73 dated 12th February 1900
enquiring as to the practice prevailing
in the District in regard to the disposal
of appeals against the Amildar's deci-
sions in Suits connected with Pujari
rights, I have the honor to state that
subsequently to the issue of Govern-
ment Proceedings No. C 25 - 34 dated
14th March 1895, appeals against the
decisions

decisions of annuals in Muzarai Suits are being heard and disposed of by the Deputy Commissioner himself.

I have the honor to be
Sir,
your Most obedient Servant

A. Cunningham Esq
Deputy Commissioner

1899-900 Sl 8

From Deputy Commissioner
Shimoga District

To The Secy: to the Govt: of Mysore
Mysore in Department

Dated 26 May 1900

Despatched

Received

General No. 1019 } 1899-900
No. 216

Enclosure No.

With ref: to his Docket No 866-3
dt 12 July 1900, states the
practice obtaining
in this District in
regard to the disposal
of Appeals from
Amildars decisions.

No 1619

Shimoga District
Deputy Commrs Office
Shimoga 26th May 1900

To

The Secretary to the Govt of Mysore
Mungai Department

Sir,

With reference to your docket
No 866-73 dated 12th February 1900
requiring what the practice in
this District is in regard to the
disposal of appeals from Amildars
decisions &c, I have the honour
to state that the practice ob-
taining in this District is as
follows:-

The Amildars do not
in general dispose of cases
in connection with the Puppie
rights of the Mungai institution,
but they hold a formal
enquiry and submit the records
to the Assistant &c employed
in charge of the Talukas or the
sub Division Officer as the
case

Case be complied for orders - Against
their orders, already be the
Deputy Commissioner as he and
the District Surgeon Department.

I have the honour to be
Sir,
Your most obedient Servt
Balasundaram Iyer
for Deputy Commissioner

MD.

Murzban 09

Read the following Papers:—

(i) Govt. Pro: no C25-34 dy 14th March 1895 laying down instructions in regard to the institution of suits for Pujari rights. (From the above to 4 others) — Nil

(ii) Docket no. 866-73 dy 12th Feb: 1900 requesting the Dy Commissioners of Districts to report upon the practice obtaining in their respective Districts in the matter of suits relating to Pujari rights.

(iii) Kadur deputy Commissioner's letter no. 1084 dy 19th Feb 1900 reporting that no such suits have yet arisen in his District, that in the case of miscellaneous

Murzan orders made by
Amildars, appeals are
preferred either to the Assistant
Commissioner concerned or to
the Dy Commissioner, that
in the latter case they are
generally referred to the Assistant
Comm.r concerned and that
appeals from his decision
are made to the Dy Comm.r

(iv) Tumkur Dy Commissioner's
Letter No. 722 dy 15th March 1900
reporting that appeals from
Amildars or Assistant Com-
-missioners' decisions are
invariably entertained and
disposed of by the Dy Comm.r

(v) Bangalore Dy Com-
-missioner's Letter No. 977 dy
10th April 1900 reporting
that appeals against the

Amildars' decisions are not entertained by the Assistant Commissioners but are heard by the Dy Commr himself or referred by him to Asst Commissioners.-

(vi) Kolar Dy Commissioners Letter No. 3626/767 of 9th May 1900 reporting that subsequent to the issue of the Govt order of 14th March 1895, appeals against the decisions of Amildars in Muzrai suits are being heard and disposed of by the Dy Commr himself.

(vii) Shimoga Dy Commissioners Letter No. 1079/36 of 26th May 1900 reporting that Amildars do not in general dispose of suits

for Pujari rights, but that they hold a formal enquiry and submit the records to the Asst Commr in charge of the Talukas or the Sub Division officer as the case may be for orders and that against their orders, appeals lie to the Dy Commr as Head of the District Muzrai dept.

(viii) Chitaldrug Dy Commissioner's Docket No $\frac{586}{27}$ of 22nd Feb: 900 reporting that there have been no such appeals entertained by Asst Commissioners in the district.

(ix) Mysore Dy Commissioners Docket No 112 of 5th March 1900 reporting that suits are in the first instance

instance enquired into and disposed of by the Amildars, that appeals against their decision are entertained by the sub Dy. Officer or the Asst Commr in charge of the Murrai work of the District and that the decisions of these Officers are appealed against to the Dy Commr

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Order thereon. No. 35-44

No. 35-44 Dy 8 July 1901.

The Government observe that while the Govt order of the 14th March 1895 read above contemplates only two appeals in regard to suits for Pujara rights against the decision of

an Amildar – one, & the
first appeal to the Deputy
Commr or the District Munsif
Officer and the second
to Govt, whose decision is final,
appeal, ~~the decision in which~~
~~is final, to Government,~~
there is a diversity of practice
prevailing in the several Districts
In some Districts, the appeals
from the decisions of Taluk
Amildars are entertained
by the Sub Division Officer
or the Assistant Commissioner
in charge of the Munsif work
of the District or the Taluk concerned,
and the decisions of these
Officers are appealed against
to the Deputy Commissioner,
while in other Districts

the appeals against the Amildars' decisions do not go before the Sub Division Officer or the Assistant Comm' but are heard and decided by the Dy Comm' himself, whereby the parties are either deprived the benefit of a second appeal or ~~are inconvenienced~~ have to take up a third appeal to Govt. ~~with three appeals before the final appeal is preferred to Government~~

2. To prevent future trouble, the Government hereby repeal the instructions laid down in the Ci order of the 14th March 1895 and in explanation thereof direct the Amildars to

dispose of suits relating
to Pujari rights in the
first instance and by
Commissioners & not their
assistants to entertain
and decide the appeals from
the Amildars' decisions,
except when the Dy Commr
is a European officer in which
case he may refer the case
to his Assistant Commissioner,
the second appeal in such cases
lying to Govt in the
Muzrai department

R. 25-4-4
8-7-01

Dewan's order

6/7/01
Deputy Secretary

Send?

Yes Send & return
6/7

To, the Dy Commrs of Districts.
" Palace Court, Mysore.
" Registrar, Chief Court.

by

READ THE FOLLOWING PAPERS.—

(i) Government Proceedings No. C 25-34, dated Camp Mysore, 14th March 1895 —

'ORDER—The Government resolve to republish, for general information and guidance, the following Circular Order No. 30, dated the 26th October 1854, issued by the late Commissioner, Lieutenant-General Sir Mark Cubbon, regarding suits for Pujari rights.

2. Appeals from the Amildar's decisions in such cases now lie to the District Muzrai Officer and the Deputy Commissioner, against whose decisions final appeals lie to the Government in the Muzrai Department.

Mysore Commissioner's Circular No 30, dated 26th October 1854, to the Superintendents of Divisions

I have the honor by desire of the Commissioner to request that you will have the goodness to cause the necessary instructions to be issued to the Amildars, prohibiting the institution of suits for Pujari rights in the Courts of your Division, but that the Amildars may enquire into such disputes * * * and decide them, and that these decisions may be appealed against to the Commissioner's Huzur where the Muzrai affairs are managed"

(ii) Docket No 866-73, dated 12th February 1900, requesting the Deputy Commissioners of Districts to report upon the practice obtaining in their respective districts in the matter of suits relating to Pujari rights

(iii) Kadur Deputy Commissioner's letter No. 1084, dated 19th February 1900, reporting that no such suits have yet arisen in his district, that, in the case of miscellaneous Muzrai orders made by Amildars, appeals are preferred either to the Assistant Commissioner concerned or to the Deputy Commissioner, that in the latter case they are generally referred to the Assistant Commissioner concerned, and that appeals from his decision are made to the Deputy Commissioner

(iv) Tumkur Deputy Commissioner's letter No 722, dated 15th March 1900, reporting that appeals from Amildars, or Assistant Commissioners' decisions are invariably entertained and disposed of by the Deputy Commissioner.

(v) Bangalore Deputy Commissioner's letter No 977, dated 10th April 1900, reporting that appeals against Amildars' decisions are not entertained by the Assistant Commissioners but are heard by the Deputy Commissioner himself or referred by him to Assistant Commissioners

(vi) Kolar Deputy Commissioner's letter No. 3626—767, dated 9th May 1900, reporting that subsequent to the issue of the Government Order of 14th March 1895, appeals against the decisions of Amildars in Muzrai suits are being heard and disposed of by the Deputy Commissioner himself.

(vii) Shimoga Deputy Commissioner's letter No. 1019—36, dated 26th May 1900, reporting that Amildars do not in general dispose of suits for Pujari rights but that they hold a formal enquiry and submit the records to the Assistant Commissioner in charge of the taluks or the Sub-Division Officer, as the case may be, for orders, and that against their orders, appeals lie to the Deputy Commissioner as head of the District Muzrai Department.

(viii) Chitradurg Deputy Commissioner's docket No 586—27, dated 22nd February 1900, reporting that there have been no such appeals entertained by Assistant Commissioners in the district

(ix) Mysore Deputy Commissioner's docket No 112, dated 5th March 1900, reporting that suits are in the first instance enquired into and disposed of by the Amildars, that appeals against their decisions are entertained by the Sub-Division Officer or the Assistant Commissioner in charge of the Muzrai work of the district, and that the decisions of these officers are appealed against to the Deputy Commissioner

Muzrai, dated 8th July 1901.

No. 35-44, dated Bangalore, 8th July 1901.

Order thereon—The Government observe that while the Government Order of the 14th March 1895, read above, contemplates only two appeals in regard to suits for Pujari rights against the decision of an Amildar—one, the first appeal to the Deputy Commissioner or the District Muzrai Officer, and the second appeal to Government, whose decision is final,—there is a diversity of practice prevailing in the several districts. In some districts, the appeals from the decisions of Taluk Amildars are entertained by the Sub-Division Officer or the Assistant Commissioner in charge of the Muzrai work of the district or the taluk concerned, and the decisions of these officers are appealed against to the Deputy Commissioner, while in other districts the appeals against the Amildars' decisions do not go before the Sub-Division Officer or the Assistant Commissioner, but are heard and decided by the Deputy Commissioner himself, whereby the parties are either deprived of the benefit of a second appeal or have to take up a third appeal to Government.

2. To prevent future trouble, the Government hereby repeat the instructions laid down in the Circular Order of the 14th March 1895, and, in explanation thereof, direct the Amildars to dispose of suits relating to Pujari rights in the first instance, and Deputy Commissioners and not their Assistants to entertain and decide the appeals from the Amildars' decisions, except when the Deputy Commissioner is a European Officer, in which case he may refer the case to his Assistant Commissioner, the second appeal in such cases lying to Government in the Muzrai Department.

Deputy Secretary.

To—The Deputy Commissioners of Districts.
The Palace Controller, Mysore
The Registrar, Chief Court.

Exd—C.V.

1901-1902

GOVERNMENT OF MYSORE

MUZRAI

PROCEEDINGS

Dated 8th July 1901

No. 35-44

Laying down instructions in the matter of the disposal of suits relating to Pujari rights.

SBP—16-7-1901—300